

**2001 DRAFTING REQUEST****Senate Amendment (SA-SB55)**

Received: 05/30/2001

Received By: jkreye

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 6-9916

By/Representing: Olin

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Shared Revenue

Extra Copies:

Submit via email: NO

Requester's email:

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**Pre Topic:**

LFB:.....Olin -

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**Topic:**

Paper #827: population estimates used to calculate shared revenue payments

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 05/30/2001	jdyer 05/30/2001	rschluet 05/31/2001	_____	lrb_docadmin 05/31/2001		
	jkreye 06/05/2001	jdyer 06/05/2001		_____			
/2			kfollet 06/05/2001	_____	lrb_docadmin 06/05/2001		

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Page 2

**LRBb0469**

FE Sent For:

<END>

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1/2 6/4/5 jld

kyl  
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6/5

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&lt;END&gt;

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/1	jkreye	1 5/30 jld	5-30-1	5-30-1 KF			

FE Sent For:

&lt;END&gt;

6. The 1991-93 biennial budget contained a provision that delayed the shared revenue formula's use of population figures from the 1990 decennial census. Under the provision, 1991 actual payments were calculated using DOA's population estimates that had been used to calculate the 1991 payment estimates in September, 1990. Subsequently, DOA incorporated the Census figures into its population estimates, and the 1991 payments were corrected in 1992. As a result, the actual payments that were made in 1991 were more comparable to the estimated amounts that DOR had calculated in September, 1990.

7. The procedure established by the 1991 Legislature recognized the budget disruptions that could occur if significant payment changes were made after local budgets are set. The Legislature postponed these changes until local governments could reflect them in the adoption of their next annual budgets. This postponement minimized the short-term disruption of the changes, but recognized that eventually the changes should occur in order to avoid permanent distortions in the shared revenue distribution.

8. A similar procedure could be repeated this year. This would require DOR to use the population estimates employed in the September, 2000, payment estimates to calculate actual shared revenue and county mandate relief payments for 2001. Furthermore, DOR would be directed to use the reconciled population figures in 2002, when it determines corrections to 2001 payments. Finally, the Committee could direct DOA to provide DOR with population estimates that are reconciled with the census amounts to the best of DOA's ability, so that DOR can provide reasonably accurate estimates of 2002 payments in September, 2001.

#### ALTERNATIVES TO BASE

1. Take no action.

2. Direct DOR to use the population amounts employed in the September, 2000, payment estimates to calculate the 2001 actual shared revenue and mandate relief payments in July and November, 2001. Direct DOA to provide DOR with 2001 and 2002 population estimates that are reconciled with the census amounts, to the best of DOA's ability, by August 1, 2001, and direct DOR to use those amounts when it provides estimates of 2002 payments in September, 2001. Direct DOA to provide DOR with 2000 and 2001 population amounts that are reconciled with the population figures from the decennial census, to the best of DOA's ability, by August 1, 2002 and direct DOR to use the reconciled figures to calculate corrections to 2001 payments in 2002.

*most recent decennial census*

Prepared by: Rick Olin

*Alternative Z  
16-0*

*See non-stat.  
provision (10g)  
from 91 Act 39*

*this time, include  
mandate relief,*

## 91 WisAct 39

- 7 -

Vetoed  
in Part

bers of the telecommunications industry, the speech-impaired community, the hearing-impaired community and the public to study and review potential funding sources for the state telecommunications relay service. That committee shall report its findings and its recommendations to the governor on or before January 1, 1992.

(9g) ADOPTION OF FEDERAL INCOME TAX CHANGES. Changes to the federal internal revenue code made by P.L. 101-508 apply to definitions of "internal revenue code" in chapter 71 of the statutes for taxable year 1986 and previous taxable years at the time that those changes apply for federal income tax purposes.

(9h) RECYCLING SURCHARGE RECALCULATION. If an entity pays the recycling surcharge under sections 77.93 and 77.94, 1989 stats., the department of revenue shall recalculate the recycling surcharge under sections 77.93 and 77.94 of the statutes, as affected by this act. The department shall refund any overpayment and collect any underpayment determined under the recalculation. Notwithstanding section 77.95 of the statutes, as affected by this act, the department may not impose interest and penalties on an underpayment if the underpayment is caused solely by the recalculation.

(10f) CORRECTION OF STATE PROPERTY TAX CREDIT PAYMENTS. Notwithstanding section 79.10 (6m), 1989 stats., any correction of the amount distributed to any municipality under section 79.10 (4) or (5), 1989 stats., in 1991 shall be made by adjusting the amount distributed under section 79.10 (4) of the statutes, as affected by this act, to that municipality in 1992.

(10g) SHARED REVENUE POPULATION ADJUSTMENT.

(a) Notwithstanding section 79.005 (2) of the statutes, the population used for purposes of determining 1991 shared revenue entitlements under section 79.03 of the statutes, as affected by this act, shall be the population determined by the department of administration under section 16.96 of the statutes for the statements provided to municipalities and counties in 1990 under section 79.015 of the statutes. Any corrections made to 1991 shared revenue payments under section 79.08 of the statutes, as affected by this act, shall be made by using the population as defined under section 79.005 (2) of the statutes.

Vetoed  
in Part

(b) Notwithstanding section 79.08 of the statutes, as affected by this act, any corrections made to 1990 shared revenue payments under section 79.08 of the statutes, as affected by this act, shall be made by increasing or decreasing, as appropriate, shared revenue payments in 1992.

Vetoed  
in Part

(c) Notwithstanding section 79.015 of the statutes, the department of revenue shall include in its statements of estimated payments provided on or before September 1991 under section 79.015 of the statutes an estimate of the corrections of 1990 and 1991 payments, as affected by paragraphs (a) and (b), under section 79.08 of the statutes, as affected by this act.

(10x) SHARED REVENUE ADJUSTMENT.

(a) Notwithstanding section 79.03 (1) of the statutes, as affected by this act, if the department of revenue's estimate made under section 79.015 of the statutes on or before September 15, 1990, resulted in a determination that a municipality that fulfilled the requirements under section 79.05 (2) (a) and (b) of the statutes was not eligible to receive a 1991 payment under section 79.05 of the statutes because the municipality did not fulfill the requirement under section 79.05 (2) (c) of the statutes, as affected by this act, and if the department of revenue, notwithstanding section 79.015 of the statutes, redetermines on or before November 1, 1991, that the municipality did fulfill the requirement under section 79.05 (2) (c) of the statutes, as affected by this act, the municipality's 1991 entitlement under section 79.03 (1) of the statutes, as affected by this act, shall be increased by an amount equal to the amount that the department of revenue redetermined that the municipality is eligible to receive under section 79.05 (3) of the statutes, as affected by this act, in 1991.

(b) The department of revenue shall recalculate the amount of each eligible municipality's 1991 payment under section 79.05 of the statutes, as affected by this act, on the basis of any redetermination under paragraph (a). If the recalculated amount is less than the department of revenue's original estimate under section 79.015 of the statutes, the municipality's 1991 entitlement under section 79.03 (1) of the statutes, as affected by this act, shall be reduced by an amount equal to the amount by which the municipality's 1991 payment under section 79.05 of the statutes, as affected by this act, exceeds the recalculated amount. Minimum aid payments under section 79.06 (1) of the statutes shall not be made with respect to any amounts that a municipality's entitlement is reduced under this paragraph.

(c) Any adjustment made to a municipality's shared revenue entitlement under this subsection shall be made to the municipality's November 1991 payment.

SECTION 9154. Nonstatutory provisions; supreme court.

(2v) CIRCUIT COURT AUTOMATION SYSTEM REIMBURSEMENT. From the appropriation under section 20.680 (2) (j) of the statutes, as affected by this act, the director of state courts shall provide reimbursement no later than June 30, 1993, to those counties that elect to receive reimbursement under the circuit court automated information system under section 758.19 (4) of the statutes.

SECTION 9155. Nonstatutory provisions; transportation.

(1q) VEHICLE AND OPERATOR'S LICENSE RECORDS. The department of transportation shall study the implementation of sections 341.08 (1m), 341.17 (9), 343.14 (2) (j), 343.235 and 343.24 (4) of the statutes, as created by this act. The department shall submit a



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0469/1

JK:.....

Jld

LFB:.....Olin - Paper #827: population estimates used to calculate shared revenue payments

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144**

m 5-30-01

SOON

D-N

1 At the locations indicated, amend the bill as follows:

2 1. Page 1767, line 8: after that line insert:

3 <sup>e</sup>  
(2~~m~~) SHARED REVENUE POPULATION ADJUSTMENT. ✓

4 (a) Notwithstanding section 79.005 (2) ✓ of the statutes, the population used for  
5 purposes of determining 2001 shared revenue payments under section 79.03 ✓ of the  
6 statutes<sup>t</sup>, as affected by this act, and 2001 county mandate relief payments under  
7 section 79.058 ✓ of the statutes<sup>t</sup> shall be the population determined by the department  
8 of administration ✓ under section 16.96 ✓ of the statutes for the statements provided to  
9 municipalities and counties in the year 2000 under section 79.015 ✓ of the statutes.

10 (b) Notwithstanding section 79.005 (2) of the statutes, the department of  
11 administration ✓ shall provide, to the best of its ability, 2001 and 2002 population

1 estimates that are reconciled with the most recent federal decennial census to the  
2 department of revenue on or before August 1, 2001. The department of revenue shall  
3 use the reconciled estimates to prepare the statement of estimated 2002 shared  
4 revenue and county mandate relief payments provided on or before September 15,  
5 2001, under section 79.015<sup>✓</sup> of the statutes.

6 (c) Notwithstanding section 79.005 (2) of the statutes, the department of  
7 administration shall provide, to the best of its ability, 2000 and 2001 population  
8 numbers that are reconciled with the most recent federal decennial census to the  
9 department of revenue on or before August 1, 2002. The department of revenue shall  
10 use the reconciled numbers to calculate corrections to 2001 shared revenue and  
11 county mandate relief payments under section 79.08<sup>✓</sup> of the statutes.”.

12 (END)



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0469/1dn

JK:.....

jld

May 30, 2001

Rick Olin:

Please review this draft carefully to ensure that it is consistent with the committee's intent. The nonstatutory provision created in the amendment is somewhat different than the provision created in 1991 Wisconsin Act 39<sup>✓</sup>, as included in your instructions. Obviously, if the budget is not enacted by July 31, 2001, the dates referred to in the draft must be changed.

Joseph T. Kreye  
Legislative Attorney  
Phone: (608) 266-2263  
E-mail: joseph.kreye@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0469/1dn  
JK:jld:rs

May 30, 2001

Rick Olin:

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E-mail: joseph.kreye@legis.state.wi.us

6-5-01

~~Revised~~ *Revised*

Fred Ammerman — LFB

8-0469

page 2 lines 8 & 10

change "numbers" to "estimates"



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb04694  
JK:jld:rs

LFB:.....Olin - Paper #827: population estimates used to calculate shared revenue payments

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144**

in 6-5-01  
SOON

1 At the locations indicated, amend the bill as follows:

2 1. Page 1767, line 8: after that line insert:

3 “(2e) SHARED REVENUE POPULATION ADJUSTMENT.

4 (a) Notwithstanding section 79.005 (2) of the statutes, the population used for  
5 purposes of determining 2001 shared revenue payments under section 79.03 of the  
6 statutes, as affected by this act, and 2001 county mandate relief payments under  
7 section 79.058 of the statutes shall be the population determined by the department  
8 of administration under section 16.96 of the statutes for the statements provided to  
9 municipalities and counties in the year 2000 under section 79.015 of the statutes.

10 (b) Notwithstanding section 79.005 (2) of the statutes, the department of  
11 administration shall provide, to the best of its ability, 2001 and 2002 population

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2 department of revenue on or before August 1, 2001. The department of revenue shall  
3 use the reconciled estimates to prepare the statement of estimated 2002 shared  
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7 administration shall provide, to the best of its ability, 2000 and 2001 population  
8 ~~numbers~~ that are reconciled with the most recent federal decennial census to the  
9 department of revenue on or before August 1, 2002. The department of revenue shall  
10 use the reconciled ~~numbers~~ to calculate corrections to 2001 shared revenue and  
11 county mandate relief payments under section 79.08 of the statutes.”.

12 (END)

*estimates* ✓

LFB:.....Olin – Paper #827: population estimates used to calculate shared revenue payments

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